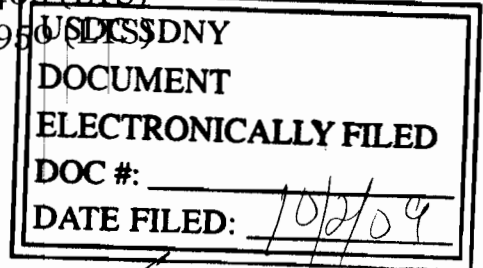


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ECF
07 CV 7406 (LTS)
08 CV 6980 (LTS) SDNY



ENERGIZER, S.A.,
- against -

Plaintiff,

M/V YM GREEN, etc., et al.,

Defendants.

WARTA INSURANCE, et al.,

Plaintiffs,

- against -

M/V YM GREEN, etc., et al.,

Defendants.

NOTICE OF MOTION OF
DEFENDANTS, YANG MING
MARINE TRANSPORT CORP., YANG
MING (U.K.) LTD., AND ALL
OCEANS TRANSPORTATION INC.,
TO DISMISS OR STAY INDEMNITY
AND CONTRIBUTION
CROSSCLAIMS BETWEEN THEM-
SELVES AND CODEFENDANT,
KAWASAKI KISEN KAISHA LTD.

The undersigned will move this Court before the Hon. Laura Taylor Swain, U.S.D.J., at the Courthouse at 500 Pearl Street, New York, New York for an order pursuant to Chapter 2 of the Federal Arbitration Act at 9 U.S.C. for an order dismissing or staying all contribution and indemnity claims, crossclaims, and counterclaims, however denominated, between moving defendants, YANG MING MARINE TRANSPORT CORP., YANG MING (U.K.) LTD., and ALL OCEANS TRANSPORTATION INC., and

This motion (Docket # 108) is dismissed as moot in light of the stipulation of partial dismissal (docket #115)

SO ORDERED: DATE: 10/1/2009

GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE